

REMARKS

Applicants note with appreciation the recent telephone conference with Examiner Wessman regarding the present application. As discussed in the telephone conference, Applicants have made a non-limiting amendment to claim 37 to place the claims in condition for allowance. Applicants have also filed a Declaration under 37 C.F.R. §1.131 concurrently herewith, as discussed with Examiner Wessman.

In view of the amendment presented herein, it is respectfully submitted that all of the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. If any minor informalities need to be addressed, the Examiner is directed to contact the undersigned attorney by telephone to facilitate prosecution of this case.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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In re: Fehring
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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: BOX RCE, Commissioner for Patents, Washington, DC 20231.

Rebecca Kerney
Rebecca Kerney

Version with Markings to Show Changes Made:

37. (Amended) A biocompatible cobalt-base alloy of Claim 17 wherein said alloy has a ratio of (weight percent Cr + ½ weight percent Mo) / weight percent Co [weight percent of cobalt to a sum of weight percent of chromium and one-half weight percent of molybdenum] in the range of below about 0.450.